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Agenda item 7 (b)

WORK RELATED TO THE CODE OF CONDUCT ON TRANSNATIONAL CORPORATIONS AND OTHER INTERNATIONAL ARRANGEMENTS AND AGREEMENTS: OTHER INTERNATIONAL, REGIONAL AND BILATERAL ARRANGEMENTS AND AGREEMENTS RELATED TO TRANSNATIONAL CORPORATIONS

Corrupt practices in international business transactions

United States of America: draft resolution

The Commission on Transnational Corporations,

Recalling General Assembly resolution 3514 (XXX) of 15 December 1975, in which the Assembly, inter alia, condemned all corrupt practices, including bribery, by transnational corporations and other corporations, their intermediaries and others involved, in violation of the laws and regulations of host countries, reaffirmed the right of any State to adopt legislation and to investigate and take appropriate legal action, in accordance with its national laws and regulations, for such corrupt practices, and called upon all Governments to cooperate to prevent corrupt practices, including bribery,

Recalling also Economic and Social Council resolution 1913 (LVII) of 5 December 1974, by which the Council decided to establish the Commission on Transnational Corporations to act, inter alia, to secure effective international arrangements within its mandate,

Recalling further the Declaration on International Economic Cooperation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, adopted by the General Assembly at its eighteenth

special session, 1/ and the International Development Strategy for the Fourth United Nations Development Decade, 2/

Convinced that a stable and predictable environment for international business transactions is essential for the mobilization of investment, finance, technology, skills and other important resources across national borders, to promote economic and social development world wide, especially that of countries seeking to revitalize or develop their economies,

Recognizing that the prevention and avoidance of corrupt practices could be an important element in an improved international business environment, and could also enhance fairness and competitiveness in transnational business transactions for the benefit also of the general public,

Bearing in mind the substantial progress made by the Committee on an International Agreement on Illicit Payments in the formulation of an agreement, 3/

Considering that renewed efforts towards the conclusion of such an agreement would greatly facilitate the establishment of international standards for the prevention and avoidance of corrupt practices and would help strengthen international cooperation in that respect,

Requests the Secretary-General to study ways and means of concluding discussions on a draft agreement on illicit payments, and to report thereon to the Economic and Social Council at its second regular session of 1991.

1/ General Assembly resolution S-18/3, annex.

2/ General Assembly resolution 45/199, annex.

3/ See E/1979/104.